

REMARKS

The Office rejected claims 1 and claims 3-7 under 35 U.S.C. § 103(a) over the combination of Wehr (US 4,879,120) and Seeger (U.S. 5,540,499). Claims 2 and 8-11 are rejected over the combination of Wehr, Seeger and Strehler (U.S. 4,388,425). Claim 12 is rejected under 35 U.S.C. § 103(a) over Wehr, Seeger and Belde (U.S. 4,474,681). Finally, the Office rejected claim 5 on the grounds of double patenting over claim 17 of U.S. Patent No. 5,179,164 and as obvious over U.S. Patent No. 5,179,164.

Applicants submit that the claimed process would not have been rendered unpatentable under 35 U.S.C. § 103(a) over the cited references because the references do not teach or suggest the recitation of removing water from the product mixture before or during polymerization.

Specifically, Applicants note that the Office suggests that Wehr teaches that water is removed from the product mixture during the polymerization and addition caprolactam is added to the product mixture during the polymerization. Applicants respectfully disagree.

Inspection of Wehr at column 2, line 46 to column 3, line 44 shows that Wehr actually extracts monomeric caprolactam and oligmers with water then evaporates the extract to concentrate monomer and oligmer. The concentrated monomer and oligmer is then recycled back into the polymerization process. In Wehr, water is added then removed, during the polymerization with the removed water containing monomer and oligmer. There is no net removal of water in Wehr and therefore this step is distinct from the claimed process which only removes water before or during the polymerization process.

Therefore, the claimed process is distinct from the process obtained from the combination of Wehr and Seeger, and accordingly, the claimed process would not have been obvious over the combination of Wehr and Seeger.

Further, Applicants note that Strehler and Belde do not make up for the deficiencies of Weig and Seeger. Because the combination of the cited references do not teach or suggest all the recitation of the claimed method, the claimed method would not have been obvious over the

cited references. Therefore, Applicants respectfully request that the Office withdraw, the rejection of claims 1, 2, 4 and 6-12 under 35 U.S.C. § 103 (a) over the combination of the cited references.

With regard to claim 5, the Office has noted that claim 5 is a product-by-process claim and that no weight is given to the process limitation absent a showing of criticality. Applicants respectfully submit that the claimed process gives a distinct product as shown by the examples given in the specification. Specifically, Applicants direct the Office to the examples given on pages 12 and 13 of the specification.

Here two titania-containing polyamide samples prepared by the recited process were compared to a titania-containing polyamide sample prepared according to EP-A-070-452. The results show that the claimed product is distinct providing both better filtration and abrasion characteristics over other types of products.

Specifically, the claimed product gives a lower pressure build-up (7 bar/kg) compared to the comparative example (10 bar/kg). In addition, the abrasion of yarn prepared from the claimed product was much lower (3.8 mg/100 km of yarn) than the comparative product (4.2 mg/100 km of yarn). These results show that the polyamide product from the claimed process is distinct over other types of polyamide products. Therefore, the claimed product would not have been obvious over the cited reference, and accordingly, Applicants respectfully request that the Office withdraw the obviousness rejection of claim 5 over U.S. 5,179,164.

In light of the remarks above, Applicants submit that the application is in condition for allowance. Favorable reconsideration is respectfully requested.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 12810-00082-US from which the undersigned is authorized to draw.

Dated: August 25, 2008

Respectfully submitted,

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